

# **IN THE CIRCUIT COURT AND SUPERIOR COURTS OF HENDRICKS COUNTY**

## **LOCAL COURT RULES**

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**LR32-TR79-1**      **Special Judge Selection in Civil Cases**

- A.** Pursuant to TR 79(C), a judge shall disqualify and recuse him or herself whenever the judge, the judge's spouse, a person within the third degree of relationship to either of them, the spouse of such a person, or a person residing in the judge's household:
1. is a party to the proceeding, or an officer, director, or trustee of a party;
  2. is acting as a lawyer in the proceeding;
  3. is known by the judge to have an interest that could be substantially affected by the proceeding; or
  4. is associated with the pending litigation in such a fashion as to require disqualification under the Indiana Code of Judicial Conduct or otherwise.

Upon disqualification or recusal under this section, a special judge shall be selected from a list of the current Circuit Court Judge, Superior Court Judges and Magistrates of the other county.

- B.** Pursuant to TR 79(D), within seven (7) days of the notation in the Chronological Case Summary of the order granting a change of judge or an order of disqualification, the parties may agree to an eligible special judge. The agreement of the parties shall be in writing and shall be filed in the court where the case is pending. Upon the filing of the agreement, the court shall enter an order appointing such individual as the special judge in the case and provide notice pursuant to TR 72(D) to the special judge and all parties or appoint a special judge under TR 72(H). A judge appointed under this section shall have fifteen (15) days to decide whether to accept the case and enter his or her decision. The filing of the acceptance vests jurisdiction in the special judge. An oath or additional evidence of acceptance of jurisdiction is not required.
- C.** The Morgan County and Hendricks County Clerks shall maintain separate lists of all Circuit Court Judges, Superior Court Judges, and Magistrates of Morgan County and Hendricks County respectively to be used to randomly select a special judge in all cases in which the parties do not agree to a special judge as set forth in this rule.
- D.** If the parties fail to agree to the selection of a special judge, the clerk of the county in which the case is filed shall randomly select a special judge from the judges of that county and notify the Court, the selected special judge, and the parties of the random selection.
- E.** If either Morgan or Hendricks County does not have a sufficient number of regular sitting judges from which to select a judge from the county in which the case is filed, the clerk of that county shall randomly select from a list of the current Circuit Court Judge, Superior Court Judges, and Magistrates of the other county.

- F.** The sitting judge may forego the requirements set forth in this rule and certify immediately to the Indiana Supreme Court for the appointment of a special judge if the particular circumstances of a case warrant selection of a special judge by the Indiana Supreme Court.

*(Amended effective May 1, 2013)*

**LR32-CR2.2-2 Assignment of Criminal Cases**

**LR32 – CR2.2-2 Rule 1. Definitions**

- A.** “Week” shall mean 12:01 a.m. Friday until 12:00 a.m. the following Friday.
- B.** The “weekly rotation” for assignment of criminal cases shall be:
1. “Week 1” means Hendricks Superior Court No. 1.
  2. “Week 2” means Hendricks Superior Court No. 2.
  3. “Week 3” means Hendricks Superior Court No. 3.
  4. “Week 4” means Hendricks Superior Court No. 4.
  5. “Week 5” means Hendricks Superior Court No. 5.
  6. “Week 6” means Hendricks Circuit Court.

**LR32 – CR2.2-2 Rule 2. Criminal Case Assignment**

**A. General Rule**

1. Except as set forth below, all MRs, FAs, FBs, FCs, FDs, and CMs shall be assigned according to the weekly rotation as defined in LR32 – CR2.2-2 Rule 1 by the date on which the offense alleged in the charging document (including grand jury indictments) occurred.
2. In the event of multiple offenses, the date on which the earliest offense alleged in the charging document occurred shall govern the assignment. Filing of multiple offenses shall comply with Administrative Rule 1(B) of the Indiana Rules of Court.
3. In the event a charging document does not set forth a date on which the alleged offense occurred, the case shall be assigned to a court of record in the county on a random basis.
4. The week beginning 12:01 am on Friday, January 3, 2014 shall be deemed Week 4.

**B. IC Title 9 Cases**

1. All FAs, FBs, FCs, FDs, and CMs filed under IC Title 9 shall be assigned to Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5 according to the weekly rotation.
2. All FAs, FBs, FCs, FDs, and CMs filed under IC Title 9 during Weeks 1 and 6 shall be assigned on a rotating basis to Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5.

- C. Domestic Violence Cases.** All cases filed under IC 35-42-2-1.3 or IC 35-46-1-15.1 shall be assigned to Hendricks Superior Court No. 1.

**D. Post Conviction Relief Petitions**

1. All PCs shall be assigned to the same court where the defendant was tried or pled guilty.
2. In the event the defendant was tried or pled guilty in another county, the PC shall be assigned according to the weekly rotation as defined in LR32 – CR2.2-2 Rule 1.

**E. Miscellaneous Criminal Cases.** All MCs shall be assigned according to the weekly rotation as defined in LR32 – CR2.2-2 Rule 1.

**F. Infractions and Ordinance Violations**

1. Unless filed as additional charges in a felony or misdemeanor proceeding – in which case the infractions shall be resolved in conjunction with the felony or misdemeanor proceeding:
  - a. All IFs issued by the Danville Police Department shall be assigned to Hendricks Superior Court No. 5.
  - b. All other IFs shall be assigned to the appropriate Town Court.
2. All OV's issued by the Towns of Amo or Danville shall be assigned to Hendricks Superior Court No. 5.
3. All other OV's shall be assigned to the appropriate Town Court.

**G. Town Courts**

1. Brownsburg Town Court
  - a. All cases filed under IC 35-43-5-5 shall be assigned to Brownsburg Town Court.
  - b. All CMs that occur within the limits of the town of Brownsburg shall be assigned to Brownsburg Town Court except cases filed under:
    - i. IC 9-30-5-1,
    - ii. IC 9-30-5-2,
    - iii. IC 35-42-2-1.3, or
    - iv. IC 35-46-1-15.1.
2. Plainfield Town Court
  - a. All CMs that occur within the limits of the town of Plainfield shall be assigned to Plainfield Town Court except cases filed under:
    - i. IC 9-30-5-1,
    - ii. IC 9-30-5-2,
    - iii. IC 35-42-2-1.3, or
    - iv. IC 35-46-1-15.1.

**LR32 – CR2.2-2 Rule 3. Re-Filings and Subsequent Filings**

- A. Subsequent to Dismissals.** In the event the State of Indiana dismisses a case or charge, any subsequent re-filing of that case or charge against the defendant shall be assigned to the court from which the dismissal was taken.
- B. Filing of Additional Charges.** When additional charges are filed against a defendant subsequent to the assignment of the case, all such additional charges to be resolved in conjunction with the pending case shall be assigned to the court of initial assignment.

**C. New Causes of Action**

1. When a new cause of action is filed against a defendant in a court of record in the county with an existing felony or misdemeanor proceeding in a Town Court, the existing cause(s) of action shall be assigned to the court of record administering the new cause of action.
2. When a new cause of action is filed against a defendant who is on probation or is a defendant in an existing felony or misdemeanor proceeding, the judge of the court in which the probation is being supervised or in which the existing cause of action is pending shall confer with the judge of the court where the new cause of action is filed in order to determine into which court to consolidate all proceedings.
3. If the judges in subsection (2) cannot agree upon which court to consolidate all proceedings, all proceedings in subsection (2) shall be returned to the Clerk for random assignment to a court of record in the county.

**LR32 – CR2.2-2 Rule 4. Reassignment**

- A. In the event a change of judge is granted or it becomes necessary to assign another judge in any felony or misdemeanor proceeding, the case shall be returned to the Clerk for random assignment to another court of record in the county.
- B. A judge, by appropriate order entered in the record of judgments and orders, may transfer and reassign any pending case to any other court of record in the county, subject to acceptance by the receiving court.
- C. This rule does not limit the authority of the judges and magistrates of the courts of record in the county to preside over hearings or issue orders for one another in order to promote efficiency and provide for timely resolution of cases.

**LR32 – CR2.22 Rule 5. Appointment of Special Judge**

- A. In the event a local judge is unavailable to accept reassignment of a case pursuant to LR32 – CR2.2-2 Rule 4, the case shall be returned to the Clerk for random reassignment from a list of full-time judicial officers from contiguous counties and counties within Administrative District 16 and senior judges.
- B. In the event no judge under this local rule is available for appointment or the judge presiding in a felony or misdemeanor case concludes that the unique circumstances presented in such proceeding require appointment by the Indiana Supreme Court of a special judge, the presiding judge may request the Indiana Supreme Court for such appointment.

*(Amended effective January 1, 2014)*

**LR32-AR1-3                      Plan for Allocation of Judicial Resources**

**LR32 – AR1-3 Rule 1. Definitions**

A.     **“Week”** shall mean 12:01 a.m. Friday until 12:00 a.m. the following Friday.

B.     The **“weekly rotation”** for assignment of cases shall be:

1. **“Week 1”** means Hendricks Superior Court No. 1.
2. **“Week 2”** means Hendricks Superior Court No. 2.
3. **“Week 3”** means Hendricks Superior Court No. 3.
4. **“Week 4”** means Hendricks Superior Court No. 4.
5. **“Week 5”** means Hendricks Superior Court No. 5.
6. **“Week 6”** means Hendricks Circuit Court.

**LR32 – AR1-3 Rule 2. Criminal Cases.** Criminal case assignment will operate as specified in LR32 – CR2.2-2.

**LR32 – AR1-3 Rule 3. Juvenile Cases.** All JCs, JDs, JSs, JPs, JMs, and JTs shall be filed in Hendricks Circuit Court.

**LR32 – AR1-3 Rule 4. Remaining Civil Cases**

A.     **Civil Plenary.** PLs shall be filed in Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, and Hendricks Superior Court No. 4 subject to the case type limits set forth in Appendix A.

B.     **Civil Tort**

1. CTs shall be filed in Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5 subject to the case type limits set forth in Appendix A.
2. When all courts have reached their limit for CTs, any additional CTs shall be filed in Hendricks Superior Court No. 3 and Hendricks Superior Court No. 4 on an alternating basis.

C.     **Civil Collection.** CCs shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 1, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5 subject to the case type limits set forth in Appendix A.

D.     **Domestic Relations**

1. Except as set forth below, DRs shall be filed in Hendricks Circuit Court, Hendricks Superior Court No. 1, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5 subject to the case type limits set forth in Appendix A.

2. Unless a court has reached its limit for DRs – in which case the DR shall be filed in another court that has not reached its DR limit:
    - a. DRs involving the same parties as a pending PO shall be filed in the court presiding over the PO.
    - b. DRs involving the same parties for which an order of protection has been issued shall be filed in the court that issued the order of protection.
- E. Miscellaneous.** MIs shall be filed in Hendricks Superior Court No. 1, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5 subject to the case type limits set forth in Appendix A.
- F. Mortgage Foreclosure.** MFs shall be filed in Hendricks Circuit Court and Hendricks Superior Court No. 2 subject to the case type limits set forth in Appendix A.
- G. Order of Protection**
1. Except as set forth below, all POs shall be assigned according to the weekly rotation as defined in AR1-3 Rule 1.
  2. The week beginning 12:01 am on Friday, January 3, 2014 shall be deemed Week 4.
  3. Unless a court has reached its limit for POs – in which case the PO shall be filed in another court that has not reached its PO limit:
    - a. POs filed by a party to a pending DR shall be filed in the court presiding over the DR.
    - b. POs filed by a party to a pending JP shall be filed in the court presiding over the JP.
    - c. POs involving the same parties as a pending PO shall be filed in the court presiding over the pending PO.
- H. Probate**
1. All ADs, MHs, and TRs shall be filed in Hendricks Superior Court No. 1.
  2. All GUs shall be filed in Hendricks Superior Court No. 5.
  3. ES, EUs, and EMs shall be filed in Hendricks Superior Court No. 1 and Hendricks Superior Court No. 5 subject to the case type limits set forth in Appendix A.
- I. Small Claims.** SCs shall be filed in Hendricks Superior Court No. 1, Hendricks Superior Court No. 2, Hendricks Superior Court No. 3, Hendricks Superior Court No. 4, and Hendricks Superior Court No. 5 subject to the case type limits set forth in Appendix A.
- J. Reciprocal Support.** All RSs shall be filed in Hendricks Circuit Court.
- K.** In the event a party in a civil case does not request to file in a particular court, the case shall be assigned on a random basis to a court that hears that case type, subject to the case type limits set forth in Appendix A.

### **LR32 – AR1-3 Rule 5. Reassignment**

- A.** When a court has reached its limit for a case type, no additional cases of that type shall be filed in that court until all other courts have reached their limit for that case type as set forth in Appendix A.
- B.** When a court has reached its limit for a case type, the Clerk shall notify all courts of this fact and post notice to this effect in the Clerk's Office.
- C.** Except where these rules provide otherwise, when all courts have reached their limit for a case type, any additional cases of that type shall be assigned on a rotating basis among the courts that hear that case type.
- D.** This rule does not limit the authority of the judges and magistrates of the courts of record in the county to preside over hearings or issue orders for one another in order to promote efficiency and provide for timely resolution of cases.
- E.** Cases transferred from one court to another shall not be included in the receiving court's limit for that case type as set forth in Appendix A.

**LR32 – AR1-3 Rule 6. Evaluation of Caseload.** Changes necessary to ensure that the Hendricks County Courts remain in compliance with the Order for Development of Local Caseload Plans shall be developed and approved by a majority vote of the judicial officers.

<b>Appendix A</b>						
<b>Case Type</b>	<b>C01</b>	<b>D01</b>	<b>D02</b>	<b>D03</b>	<b>D04</b>	<b>D05</b>
JC	ALL					
JD	ALL					
JS	ALL					
JP	ALL					
JM	ALL					
JT	ALL					
PL			45	45	46	
MF	100		735			
CC	712	200	200	200	200	200
CT				46	62	46
SC	0	694	695	695	695	695
DR	52	125	150	200	150	125
RS	ALL					
MH		ALL				
AD		ALL				
EU		193				192
GU						ALL
TR		ALL				
MI		58	59	59	59	59

*(Amended effective January 1, 2014)*



**A.        Definitions**

1. “Court reporter” means an employee-at-will, not an independent contractor, not self-employed subject to the control of the judge and is specifically designated to perform the official court reporting services for the court including preparing a transcript of the record.
2. “Equipment” means all physical items owned by the court or other governmental entity and used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes, and any other device used for recording and storing, and transcribing electronic data.
3. “Work space” means that portion of the court’s facilities dedicated to each court reporter, including, but not limited to, actual space in the courtroom and any designated office space.
4. “Page” means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
5. “Recording” means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.
6. “Regular hours worked” means those hours which the court is regularly scheduled to work during any given work week. Depending on the particular court, these hours may vary from court to court within the county but remain the same for each work week.
7. “Gap hours worked” means those hours worked that are in excess of the regular hours worked but hours not in excess of forty (40) hours per work week.
8. “Overtime hours worked” means those hours worked in excess of forty (40) hours per work week.
9. “Work week” means a seven (7) consecutive day week that consistently begins and ends on the same days throughout the year, i.e. Sunday through Saturday, Wednesday through Tuesday, Friday through Thursday.
10. “Court” means that particular court for which the court reporter performs services. Court may also mean all of the courts in Hendricks County.
11. “County indigent transcript” means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
12. “State indigent transcript” means a transcript that is paid for from state funds and is for the use on behalf of a litigant who has been declared indigent by a court.
13. “Private transcript” means a transcript, including, but not limited to, a deposition transcript that is paid for by a private party.

**B.        Salaries and Per Page Fees**

1. Court reporters shall be paid for time spent working under the control, direction, and direct supervision of their supervising court during any regular work hours, gap hours or overtime hours. The supervising court shall enter into a written agreement with the court reporter which outlines the manner in which the court reporter is to be compensated for gap and overtime hours, i.e. monetary compensation or compensatory time off regular work hours.

2. The maximum per page fee a court reporter may charge for the preparation of a county indigent transcript shall be \$4.25. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts.
3. The maximum per page fee a court reporter may charge for the preparation of a state indigent transcript shall be \$4.25.
4. The maximum per page fee a court reporter may charge for the preparation of a private transcript shall be \$4.25.
5. A minimum transcript fee of \$40.00 may be charged for any transcript.
6. Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of State Court Administration.
7. Court reporters may charge an additional hourly labor charge for time spent binding the transcripts and copying the exhibits and binding the exhibits. This labor charge shall be equivalent to the court reporter's hourly compensation rate.
8. Court reporters may charge a supply charge as follows:
  - a. Paper \$0.05/sheet
  - b. Binders \$1.00/binder
  - c. Computer disk \$0.40/disk
  - d. Diskette pocket \$0.70/pocket
  - e. Diskette case \$1.20/case

**C. Appellate Transcripts.** Court reporters may charge up to an additional \$0.50/page for transcripts prepared in accordance with the Indiana Rules of Appellate Procedure.

**D. Private Practice**

1. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, and the court reporter desires to utilize the court's equipment, work space, and/or supplies; and the court agrees to the use of the court equipments for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
  - a. the reasonable market rate for the use of equipment, work space, and supplies;
  - b. the method by which records are to be kept for the use of equipment, work space, and supplies; and
  - c. the method by which the court reporter is to reimburse the court for the use of the equipment, work space, and supplies.
2. If a court reporter elects to engage in private practice through the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

**LR32-AR00-5      Hendricks County Superior Courts Alcohol and Drug Services  
Program Fee**

- A. The Hendricks Superior Courts have established a court-operated Alcohol and Drug Services Program pursuant to IC 23-23-14, administered by the Hendricks County Probation Department.
- B. In any criminal case where substance is alleged to have been a contributing factor, the person convicted shall be ordered to pay a substance abuse fee of one hundred dollars (\$100.00). This fee includes substance abuse assessment; client intake and orientation; referral to treatment, if required; transfer to another jurisdiction, if required; substance abuse education, if required; client-monitoring; urine-screening; case management; and compliance-monitoring until discharge.
- C. The substance abuse fee may be waived if the person is actively involved in a substance abuse treatment program at the time of sentencing or successfully completed a substance abuse treatment program as a result of the charge for which the person is currently being sentenced.

**LR32-AR00-6      Hendricks County Superior Court No. 4's Drug Court Fees**

- A. Hendricks County Superior Court No. 4 has established a drug court pursuant to IC 33-23-16 and the Problem Solving Court Rules.
- B. Participants admitted to the Hendricks County Superior Court No. 4 Drug Court shall be assessed a problem-solving court administration fee of one hundred dollars (\$100.00) for initial problem-solving court services upon admission into the program.
- C. Participants admitted to the Hendricks County Superior Court No. 4 Drug Court shall be assessed a monthly user fee of fifty dollars (\$50.00) beginning with the second month of participation and for each month thereafter for the duration of their participation in the program.
- D. Participants admitted to the Hendricks County Superior Court No. Drug Court shall be responsible for all chemical testing fees. Participants shall be responsible for \$5.00/urine drug screen at the time of testing. Participants shall be responsible for the cost of any confirmatory test.
- E. Participants may be assessed a fee for services received as a result of referrals made by the Court, including mental health services, health services, and monitoring services. Fees for those services are payable to the entity providing the service.

**LR32-AR00-7**      **Hendricks County Probation Department's Theft Class Fee**

- A. The Hendricks County Courts have established a theft class pursuant to IC 35-38-2-2.3(4), administered by the Hendricks County Probation Department.
- B. In criminal cases involving theft where the offender is court-ordered to attend a theft class or is required to attend a theft class as part of a diversion program offered by the Prosecutor's Office, the person shall be ordered to pay a theft class fee of seventy-five (\$75.00). This fee includes a cognitive-based eight (8) hour education class, the cost of the workbook, and all other materials necessary for successful completion of the class.
- C. The theft class fee may be waived by the judge at the time of sentencing or at other supplemental hearings.
- D. The theft class fee shall be deposited into the Adult User Fee Fund.

**LR32-JR04-8**      **Summoning Jurors**

A two-tier notice for summoning jurors will be used. The jury qualification form and notice shall be the first tier, and summoning the prospective jurors at least one (1) week before service shall be the second tier.

**LR32-CR-00-9**      **Bail Bond Schedule**

- A. This Bail Bond Schedule is effective February 1, 2013 and supersedes all others. If an offense/class provides for a surety bond, the surety bond shall be applied to cases filed in Hendricks County Circuit Court.

<b>Offense/Class</b>	<b>Cash Bond</b>	<b>Surety Bond</b>
Murder	No bond	No bond
Resisting Law Enforcement <sup>1</sup>	No bond	\$100,000
Class A Felony	No bond	\$100,000
Class B Felony	\$7,500	\$50,000
Class C Felony	\$3,500	\$25,000
Class D Felony (IN residents)	\$500	\$5,000
Class D Felony (out-of-state residents)	\$1,000	\$15,000
Class A Misdemeanor (IN residents)	\$300	
Class A Misdemeanor (out-of-state residents)	\$500	\$5,000
Class B Misdemeanor (IN residents)	\$300	

<sup>1</sup> No bond until the initial hearing or 24 hours after arrest. Thereafter, the bond shall be that applicable to that offense/class.

Class B Misdemeanor (out-of-state residents)	\$500	\$3,000
Class C Misdemeanor (IN residents)	\$300	
Class C Misdemeanor (out-of-state residents)	\$500	\$2,000
IC Title 9 Cases (IN residents)	\$500	
Habitual Offender	\$5,000	\$30,000

- B. Identification Cases.** Any person who cannot be positively identified at book-in shall be held without bond until the person is brought before the Court for a hearing to determine bond. This includes, but is not limited to, those individuals who refuse to cooperate in their identification by refusing to be fingerprinted, individuals who possess conflicting identification, and individuals whose identifying information cannot be verified.
- C. Persons Charged With a Crime of Driving While Suspended or No Valid License.** After being processed by the Hendricks County Sheriff and completing the “Promise to Appear” form, defendants arrested for driving while suspended pursuant to IC 9-24-19-2 or -3 or no valid license pursuant to IC 9-24-18-1 shall be released without bond. The Sheriff shall provide these defendants with an initial hearing date.
- D. Persons Charged With a Crime of Domestic Violence.** Defendants charged with a crime of domestic violence as defined by IC 35-41-1-6.3 shall remain in custody and shall not be released for at least eight (8) hours after arrest pursuant to IC 35-33-1-1.7 and IC 35-33-8-6.5.
- E. Sexually-Violent Predators.** Pursuant to IC 35-33-8-3.5, a person who is a sexually violent predator as defined by IC 35-38-1-7.5, and who is arrested or charged with the commission of an offense that would classify the person as a sex or violent offender as defined by IC11-8-8-5, shall remain in custody until a court has conducted a bail hearing in open court.
- F. Persons Charged With Child Molesting or Child Solicitation.** Pursuant to IC 35-33-8-3.5, persons charged with child molesting or child solicitation shall remain in custody until a court has conducted a bail hearing in open court.
- G. Other Conditions of Bond**
1. All appearance bonds posted by defendants are subject to the following conditions:
    - a. the defendant shall appear in court at all times required by the Court;
    - b. the defendant shall not leave the State of Indiana without the prior written approval of the Court;
    - c. the defendant shall not commit or be arrested for another criminal offense;
    - d. the defendant shall make contact and schedule an appointment with court appointed counsel immediately upon posting bond and keep all appointments;

- e. the defendant shall keep his or her attorney and the Court advised in writing of any change of address within twenty-four (24) hours of such change; and
    - f. any other condition of bond ordered by the Court;
  - 2. Pursuant to IC 35-33-8-3.2(a)(4), a defendant's release may also be conditioned upon refraining from any direct or indirect contact with the alleged victim of an offense or other individual so ordered by the Court.
  - 3. Violation of any condition of bond may result in the Court revoking the defendant's release on bond and the issuance of a warrant for re-arrest.
- H.** Pre-trial motions for bond reduction shall be presented to the Court in writing and proper notice of the hearing scheduled thereon shall be given to the Prosecuting Attorney.
- I.** All property bonds shall be granted only after notice is sent to the Prosecuting Attorney and a hearing is set to determine whether such bonds are proper.
- J.** This bond schedule shall be followed by all Hendricks County Courts and the Hendricks County Clerk in the setting of bond on warrants issued on criminal information or indictments, except multiple-count information or where justice demands different amount.
- K.** This bond schedule shall apply to the highest charge pending against a person if multiple charges are or may be filed. If the bond provided is inappropriate under the circumstances, the Prosecuting Attorney shall bring such circumstances to the attention of the Court by written motion.
- L.** This bond schedule shall not be applicable in the case of a person who has been arrested for a crime while on probation, parole, bond, or released on own recognizance for another offense. In such a case, the person may be detained for a maximum period of fifteen (15) calendar days, during which period the Prosecuting Attorney shall notify the appropriate parole or probation authority, and the Court shall determine the proper bond, if any.
- M. Cash Bonds**
- 1. All cash bonds shall be posted with the Hendricks County Clerk or the Hendricks County Sheriff only after the defendant signs a personal appearance bond.
  - 2. The Hendricks County Clerk shall retain a portion of each cash bond posted in criminal cases as an administrative fee in all cases pending in the Hendricks County Courts. The administrative fee shall not exceed ten percent (10%) of the monetary value of the deposit or fifty dollars (\$50.00), whichever is less.

*(Amended effective February 1, 2013)*

**LR32-AR00-10**      **Fax Filings**

- A. Pursuant to Indiana Administrative Rule 12, the Hendricks County Superior Courts authorize electronic facsimile filing of pleadings, motions, and other papers, provided:
  - 1. the transmission does not exceed ten (10) pages, including the cover sheet;
  - 2. the sending party must keep and maintain the machine-generated transmission log for such transmission.
- B. Electronic facsimile transmissions will be accepted for filing only during regular business hours. Transmissions received after close of business shall be filed effective the next regular business day.
- C. The Hendricks County Clerk shall accept electronic facsimile transmission filings only if received at the facsimile machine assigned by the Clerk. The telephone number designated to receive such filings is (317) 745-9306.
- D. A party shall not send pleadings, motions, and other papers by electronic facsimile transmission for filing directly to any Superior Court without that Court's prior approval to do so.
- E. A party shall not send follow-up paper filings for any electronic facsimile transmission filings. Rather, electronic facsimile transmission filings shall constitute original filings for all court purposes.

*(Effective January 1, 2014)*

**LR32-TR5-11**      **Courthouse Mail**

Delivery of a pleading or notice to an attorney's Hendricks County Courthouse mailbox constitutes service pursuant to Indiana Rule of Trial Procedure 5(B)(1)(d).

*(Effective January 1, 2014)*

**LR32-AR00-12**      **Proposed Orders**

- A. An attorney or party filing a proposed order shall, at the time of filing, provide the court with:
  - 1. an original and 1 copy that will be retained by the Court;
  - 2. a copy for each of the attorneys or firms for the parties; or 1 copy for each of the parties if not represented by counsel.
- B. All proposed orders shall meet the following requirements:
  - 1. Contain a complete distribution list of all attorneys and pro se litigants with full addresses;

2. Appropriately-sized, postage-prepaid (including certified mail), and addressed envelopes for the Clerk to serve file-marked copies of orders upon the attorneys or parties. Postage-prepaid envelopes are not required for the Clerk to serve file-marked copies of orders upon an attorney with a Hendricks County Courthouse mailbox, pursuant to LR32 – TR5-11.
- C. With the exception of Section (B)(1) above, this rule does not apply to proposed orders sent to any court of record by electronic facsimile transmission for filing in any case pursuant to Indiana Administrative Rule 12 and LR32 – AR00-10.

*(Effective January 1, 2014)*